

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ELVIN GENAO,

Plaintiff,

-against-

SAINT PAULS CHURCH,

Defendant.

19-CV-2704 (CM)

BAR ORDER UNDER  
28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff filed this action *pro se*. On May 3, 2019, the Court dismissed the action for failure to state a claim on which relief may be granted, noting that Plaintiff had filed 21 other cases that the Court dismissed for the same reason or for failure to either submit an *in forma pauperis* (IFP) application or pay the filing fee. The Court ordered Plaintiff to show cause by declaration, within thirty days, why he should not be barred from filing further actions IFP in this Court without prior permission. Plaintiff did not file a declaration.

**CONCLUSION**

Accordingly, Plaintiff is barred from filing future actions IFP in this Court without first obtaining from the Court leave to file. Any motion for leave to file must be captioned “Application Pursuant to Court Order Seeking Leave to File.” Plaintiff must attach a copy of his proposed complaint and attach a copy of this order with each and any such motion. Should Plaintiff violate this order and file an action without filing a motion for leave to file, the Court will dismiss the action for failure to comply with this order. Plaintiff is warned that the continued submission of further frivolous documents may result in the imposition of additional sanctions, including monetary penalties. *See* 28 U.S.C. § 1651. The Clerk of Court is directed to close this action.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to docket this as a “written opinion” within the meaning of Section 205(a)(5) of the E-Government Act of 2002.

SO ORDERED.

Dated: June 5, 2019  
New York, New York

A handwritten signature in black ink, appearing to read 'Colleen McMahon', is written over a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge